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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
) IB Docket No. 95-41
Amendment to the Commission's)
Regulatory Policies Governing)
Domestic Fixed Satellites and) DOCKET FILE COPY ORIGINAL
Separate International)
Satellite Systems)

Comments of General Communication, Inc.

Pursuant to Section 1.415 of the Commission's rules, General Communication, Inc. (GCI) hereby comments on the Commission's Notice of Proposed Rulemaking (NPRM)¹ in this proceeding. GCI is a non-dominant facilities based interexchange carrier in Alaska that must use satellite capacity to provide service to many areas of Alaska.

Introduction

The NPRM proposes to eliminate the distinction between the Commission's Transborder Policy and its Separate International Satellite Systems Policy so as to treat all U.S. licensed geostationary fixed satellites under a single regulatory regime. The Commission does not believe that it is desirable to administer two separate policies when satellite providers are seeking to offer similar services to similar geographic areas.

The Commission also seeks comment on a variety of issues where it has not reached a tentative conclusion.

¹Notice of Proposed Rulemaking, FCC 95-146, released April 25, 1995.

Those issues include the following: whether U.S. licensees that provide mobile and broadcast service should provide both domestic and international services on a co-primary basis; whether and under what conditions non-U.S. satellites should be permitted to serve the U.S. domestic market; and, whether more rigorous technical requirements applicable to U.S. licensed satellites such as two degree spacing should be imposed on non-U.S. satellites. As outlined below, GCI supports the Commission's initiative to make satellite capacity more abundant and more competitive.

One U.S. Licensing Policy

The Commission proposes to eliminate the distinction between its Transborder and Separate Satellite Systems Policy and require all satellites providing international service to consult with Intelsat under Article XIV(d) to prevent technical or significant economic harm. The Commission proposes to eliminate all references to transborder, domestic, separate and international in Part 25; change the financial qualification requirements for domsat and separate systems; allow all U.S. licensed satellite operators to elect whether they will operate on a common carrier or non-common carrier basis; modify its earth station licensing procedures; and, eliminate 25.210(f) which permits exceptions to the technical requirements for separate systems.

GCI supports the proposals. However, GCI is concerned

with one issue - the ability of the satellite operator to elect whether it will operate on a common carrier or non-common carrier basis. The Commission tentatively concluded that "there is no reason to impose limitations in which U.S.-licensed operators may offer service to the public."² The Commission proposes to allow "licensees and applicants to elect whether to provide service on a common carrier or non-common carrier basis."³ The Commission states that it will monitor this situation and will revisit this issue if the public is not being adequately served.

GCI uses 4/6 GHz (C-Band) earth stations to provide service in Alaska. Communications is a vital link for these areas. The Commission must ensure that the U.S., including Alaska, receives adequate coverage from satellite operators.

Today, much of C-band satellite capacity carries video for cable television providers. As video compression technologies come on line, many believe that transponder capacity will increase. However, compression technologies may not necessarily alleviate a potential capacity shortage problem because more channels will be brought on line.⁴ The Commission must keep careful watch to ensure that capacity continues to be available on a common carrier basis.

²NPRM, paragraph 33.

³Id.

⁴Some envision a world where 500 channels will be available to each subscriber.

Further, the Commission must ensure that space segment capacity continue to be offered on a common carrier basis with coverage of Alaska.⁵ The Commission must ensure that any U.S. licensed satellite must continue to provide domestic satellite capabilities.⁶

GCI supports the adoption of one licensing system with one financial showing. GCI also supports the proposed modifications for the earth station licensing process. The number of modifications filed by earth station licensees should fall dramatically. To ensure parity, licensees operating earth stations in the 4/6 Ghz band should be allowed to file via letter the frequency coordination studies to support communications with the additional U.S. satellites. This should not be considered a modification of the license.

Technical Issues

There are several technical concerns when U.S. satellite operators are authorized to offer international service and non-U.S. satellite operators are authorized to

⁵This will be easier to ensure if non-U.S. satellite operators, such as Telesat Canada, are allowed to offer domestic service as discussed below.

⁶The Commission should not allow a satellite operator to construct and launch a satellite in the U.S. arc without requiring the operator to provide predominately U.S. coverage. For example, a satellite operator should not be licensed to launch a satellite that has 2 transponders with coverage of the U.S and 22 transponders with coverage of South America. This type of authority will ensure that satellite capacity would be radically diminished in the U.S.

offer domestic service. Today, U.S. satellite operators and earth station licensees must comply with the rules of the Commission as outlined in Part 25.⁷ For example, U.S. satellite operators and earth station licensees must comply with two degree spacing and polarization standards. These standards ensure that uplink interference is minimized. International earth stations which, under the proposal, may communicate with a U.S. licensed satellite, may not comply with these standards. The Commission must continue to ensure that interference between operators will not exceed current levels. If harmful interference occurs, the Commission must act quickly to close down the operation that is causing the interference.

Interference problems can be resolved by requiring all satellite operators that provide domestic service to be subject to the same coordination procedures as the U.S. requires today. U.S. licensed satellite operators work together today to self police interference and other issues that may arise through a working committee. In cases of interference, the satellite operators can work together and cease operation on both ends of the link if interference exceeds current levels.

⁷47 C.F.R. 25.

Non-U.S. Satellite Operators Should be Allowed to Provide Domestic Service

Since the Commission is in support of authorizing U.S. licensed satellite operators to offer international service on a co-primary basis, the Commission should authorize non-U.S. licensed satellite operators to provide domestic service. Satellites licensed in Canada have good coverage of Alaska. Also, eastern Russian satellites have coverage of Alaska. To ensure parity and full competition, the Commission should allow these and other non-U.S. licensed satellite operators to provide domestic service. This will promote the competitive goals of the Commission and help ensure that essential satellite capacity is available in the U.S.

No additional technical requirements should be placed on non-U.S. licensed satellite operators.⁸ Earth station operators will require providers to meet certain technical conditions before engaging non-U.S. licensed satellite operators. Further, U.S. licensed earth stations must comply with the Commission's rules, and therefore interference should not be a problem if these stations communicate with non-U.S. satellite systems.

Conclusion


The Commission should adopt its proposal to eliminate

⁸As stated above, any satellite operator providing domestic service should be required to join the working group as described above.

the distinction between its Transborder and Separate Satellite Systems Policy. However, the Commission must carefully monitor this process to ensure that satellite capacity is available on a common carrier basis. This can be assisted by allowing non-U.S. licensed satellite operators to provide domestic satellite service. The Commission must further ensure that if any interference occurs, it will take quick action to shut down the system that is causing the interference.

Respectfully submitted,

General Communication, Inc.

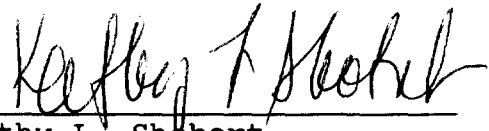

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June 8, 1995

STATEMENT OF VERIFICATION

I have read the foregoing, and to the best of my knowledge, information and belief there is good ground to support it and that it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct.

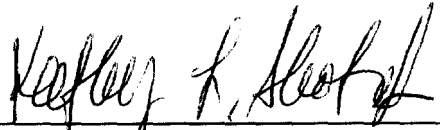
Executed June 8, 1995

A handwritten signature in black ink, appearing to read "Kathy L. Shober", written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of June, 1995, the foregoing was mailed postage prepaid to the parties listed below.



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